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State Superintendent of Public Instruction

CALIFORNIA  
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Date: April 19, 2001

To: Charter Schools  
Other Interested Persons

From: Judy Pinegar, Manager, Waiver Office  
California Department of Education (CDE)

Re: State Board of Education General Waiver Requests –  
Now Allowed Directly from Charter School

A new bill, SB 1841 (Chapter 464, Statutes of 2000), in adding section 33054 to the Ed. Code has created a new process for charter schools to request General Waivers under the authority of E.C. 30050 directly from the California State Board of Education (SBE). The charter school on its own behalf would complete the regular General Waiver Request form, including contact person and phone number. A copy of this form is available from our web site: [www.cde.ca.gov/waiver](http://www.cde.ca.gov/waiver).

The charter school must then submit the waiver to its chartering authority. The governing board of the chartering authority then has 90 days to hold a public hearing on the waiver request, they are then required to provide a summary of the Public Hearing, and if disapproval is recommended, must provide a written documentation of the reasons the local board of the chartering authority believes the waiver ought to be denied by the State Board of Education. A Certification Form the charter school should complete for certification of the review process used in each waiver request is attached to this letter.

If the chartering authority fails to hold the public hearing within the 90 days, then the charter school themselves shall hold a public hearing prior to submitting the waiver request directly to the State Board of Education through the CDE Waiver Office.

If you have additional questions on this process please call the CDE Waiver Office at (916) 654-6853.

cc: Leslie Fausset

**Certification Form (E.C. Sec. 33054)**  
Must accompany a General Waiver Request from a Charter School

\_\_\_\_\_, a charter school in California,  
(Name of charter school)

submitted the attached completed General Waiver Request form to it's "chartering  
authority" \_\_\_\_\_, on \_\_\_\_\_.  
(Name of chartering authority) (Date)

The chartering authority: (check one)

**Did not** hold a public hearing within 90 days of its receipt of the waiver request.  
(*Please indicate on the General Waiver Request form **the date of the charter school's own public hearing***)

Did hold a public hearing within 90 days of its receipt of the waiver request, but  
**no objections were voiced.** (*Please **attach** a summary of the public hearing,  
prepared by the chartering agency*)

Did hold a public hearing within 90 days of its receipt of the waiver request and  
**recommended against approval of the waiver.** (*Please **attach** the opposing  
documentation prepared by the chartering agency, giving their reasons for  
disapproval.*)

I certify that the information stated on this form is correct and complete.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title of Charter School Official